

NUCLEAR REGULATORY COMMISSION

10 CFR Part 50

Regional Licensing Program

Fort St. Vrain Nuclear Generating Station

AGENCY: Nuclear Regulatory Commission.

ACTION: Final Rule.

SUMMARY: The Nuclear Regulatory Commission is amending Part 50 of its regulations concerning the domestic licensing of utilization facilities to provide information concerning the NRC's regional licensing program. This amendment states that authority and responsibility for implementing NRC's nuclear reactor licensing program pertaining to the Fort St. Vrain Nuclear Generating Station will be carried out by the Director of Nuclear Reactor Regulation and specifies where communications and applications relating to that facility should be sent. The amendment is necessary to inform the licensee and the public of current NRC practice and organization.

EFFECTIVE DATE: October 4, 1985

FOR FURTHER INFORMATION CONTACT: Hugh L. Thompson, Jr., Director, Division of Licensing, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone (301) 492-9595.

SUPPLEMENTARY INFORMATION: The Commission has completed a pilot regionalization program to demonstrate that specific reactor licensing activities can be effectively accomplished in NRC regional offices. Since December 1, 1982,

certain licensing activities for the Fort St. Vrain Nuclear Generating Station (Utility Licensee: Public Service Company of Colorado, License No. DPR-34, Docket No. 50-267) have been carried out by NRC's Region IV (RIV) as part of the pilot regionalization program. However, regionalization of the reactor licensing function will not occur in the near future. Consequently, all licensing responsibilities for the Fort St. Vrain Nuclear Generating Station should be returned to the Office of Nuclear Reactor Regulation. The delegation of authority to the Regional Administrator of NRC's Region IV will be rescinded effective October 4, 1985. Copies of the memorandum effecting the recentralization of Fort St. Vrain licensing responsibilities have been placed in the Commission's Public Document Rooms at 1717 H Street, N.W., Washington, D.C., at the RIV Office, 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas, and at the Greeley Public Library, City Complex Building, Greeley, Colorado 80631 (the local public document room for the Fort St. Vrain Nuclear Generating Station) where they are available for inspection and copying by the public.

This amendment to 10 CFR 50.4, is necessary to inform licensees and the public of current NRC practices and organization. As amended, section 50.4 requires that inquiries concerning NRC regulation of all types of production and utilization facilities, including the Fort St. Vrain Nuclear Generating Station, be sent to the Director of Nuclear Reactor Regulation and specifies the proper address. The amendment deletes subparagraph (c) and references to subparagraph (c). The amendment does not change the requirements for direct communication between the licensee and RIV. Since this amendment is nonsubstantive and relates to matters of agency organization and procedure, the

notice and comment procedures of the Administrative Procedure Act (5 U.S.C. 553) do not apply and good cause exists for making the amendment effective on October 4, 1985.

ENVIRONMENTAL IMPACT: CATEGORICAL EXCLUSION

The NRC has determined that this final rule is the type of action described in categorical exclusion 10 CFR 51.22(c)(3). Therefore, neither an environmental impact statement nor an environmental assessment has been prepared for this final rule.

PAPERWORK REDUCTION ACT STATEMENT

This final rule does not contain a new or amended information collection requirement subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). Existing requirements were approved by the Office of Management and Budget approval number 3150-0011.

LIST OF SUBJECTS IN 10 CFR PART 50

Antitrust, Classified information, Fire prevention, Incorporation by reference, Intergovernmental relations, Nuclear power plants and reactors, Penalty, Radiation protection, Reactor siting criteria, Reporting and recordkeeping requirements.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 553, the NRC is adopting the following amendment to 10 CFR Part 50.

PART 50 - DOMESTIC LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

1. The authority citation for Part 50 continues to read as follows:
Authority: Sec. 161, as amended (42 U.S.C. 2201); sec. 210, as amended (42 U.S.C. 5841).

2. Section 50.4 is revised to read as follows:

§ 50.4 Communications.

(a) Except where otherwise specified, any communication or report concerning the regulations in this part and any application filed under these regulations may be submitted to the Commission as follows:

(1) By mail addressed to - Director of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

(2) By delivery in person to the Commission offices at -


(i) 1717 H Street, N.W. Washington, D.C.; or

(ii) 7920 Norfolk Avenue, Bethesda, Maryland.

(b) Before making any submittal in microform, the applicant or licensee shall contact the Division of Technical Information and Document Control, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Telephone (301) 492-8585, to obtain specifications and copy requirements.

Dated at Bethesda, Maryland, this 30th day of Sept 1985.

For The Nuclear Regulatory Commission.



William J. Dircks,
Executive Director for Operations.